UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,665	04/27/2000	DAVID WILKINS	AND1P597	4368

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EXAMINER
OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	09/560,665	WILKINS ET AL.
	Examiner	**Art Unit**
	Jonathan Ouellette	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2004_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,2,4-7,9-12,14 and 15_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,2,4-7,9-12,14 and 15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _20031204_.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been obvious at the time the invention
> was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability
> shall not be negatived by the manner in which the invention was made.

2. <u>Claims 1, 2, 4-7, 9-12, 14, and 15</u> are rejected under 35 U.S.C. 103(a) as being

unpatentable over Polk (US 5,946,669) in view of Single Parent Central

(www.singleparentcentral.com, Retrieved from Internet Archive Wayback Machine

<www.archive.org>, date range: 10/13/1999-1/19/2000).

3. As per independent Claims 1, 6, and 11, Polk discloses a method (computer program,

system) for providing a network-based child financial support framework, comprising the

steps of: (a) maintaining a database including information on a received financial support

payment utilizing a network (200); (b) providing general information relating to the financial

support payment utilizing the network; and (d) displaying a history associated with the

financial support payment (Abstract, Figs.7-9b, C9 L34-52, C10 L32-46).

4. Polk fails to expressly disclose wherein the network-based child financial support framework

is used for facilitating communication between employers, custodial parents, and non-

custodial parents.

5. However, this element is simply a *use* for the claimed invention and` holds no patentable

   merit in the claims.

6. Although, as discussed in the arguments section of the previous office action, Polk does

   disclose (c) calculating a proper amount of the financial support payment based on a profile

   of a user and based on an amount paid to date from a non-custodial parent (prior

   disbursement data) (figs.17-20, C15 L54-59, C17 L57-66, C19, L63-67), wherein a first

   portion of the profile is received from the user across the network (C14 L21-30, C15 L8-36 –

   Payment information from user) and a second portion of the profile is received from the

   database (C14 L48-57, C15 L36-60 - payment information matched with user info), and

   wherein the user may change the data in the second portion of the profile (C15 L7-59, C11

   L21-39 – user can authorize (change) withholding information by completing a salary

   withholding order, which is then converted to a FEDI file by the employer).

7. Polk fails to expressly disclose, wherein the profile includes data relating to at least one of

   income, number of children, basic support, insurance premium, child care cost, and

   additional expenses.

8. However, Single Parent Central teaches the use of a Child Support Calculator through a child

   support information resource website, which is based on a wide variety of non-custodial and

   custodial information (www.singleparentcentral.com).

9. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

   invention was made to have included calculating a proper amount of the financial support

   payment based on a profile of a user, wherein the profile includes data relating to at least one

   of income, number of children, basic support, insurance premium, child care cost, and

additional expenses, and wherein the user may change the data in the profile, as disclosed by

Single Parent Central in the system disclosed by Polk, for the advantage of providing a

method for providing a network-based child financial support information site, with the

ability to give the parents tailored financial information.

10. As per Claims 2, 7, and 12, Polk and Single Parent Central disclose wherein the network

includes the Internet.

11. As per Claims 4, 9, and 14, Polk and Single Parent Central disclose wherein the history

includes a date (Polk: Fig.9b), an amount received on the date (Polk: Fig.9b), and a

disbursement of the amount received (Polk: 725) to the custodial parent (Polk: recipient 250).

12. Although neither Polk nor Single Parent Central expressly disclose displaying an amount

retained of the amount received, it is inherent in the system disclosed by Polk, that if the

amount received and the disbursement amount are tracked, then the amount retained is also

tracked, because it is a function of the amount received and the disbursement amount.

13. As per Claims 5, 10, and 15, Polk and Single Parent Central disclose presenting a plurality of

frequently asked questions relating to the financial support payment

(www.singleparentcentral.com).

Response to Arguments

14. Applicant's arguments filed 6/7/2004, with respect to Claims 1, 2, 4-7, 9-12, 14, and 15, have

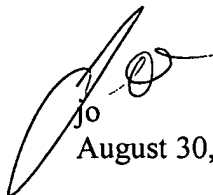been fully considered but they are not persuasive.

15. The Applicant has made the argument (a) that the cited prior art of Polk in view of Single

Parent Central fail to disclose calculating a proper amount of the Financial Support Payment

Based on both user profile and an amount paid.

16. However, Polk does disclose wherein the State tracks the amount of support paid by the non-

custodial parent (C15 L54-59), and wherein the State and/or the system intermediary

calculate the proper amount of financial support payment due (figs.17-20, C17 L57-66, C19,

L63-67).

17. Furthermore, as explained above, Single Parent Central discloses a Child Support Calculator

(pgs.8-9), which is based on a wide variety of non-custodial and custodial information.

18. Finally, the independent claims have been amended to reflect a support calculator, which is

based on an amount paid to date from a non-custodial parent. However, the Calculator

described in the specification and shown in Fig.16, does not include an amount paid to date

from a non-custodial parent, and is very similar to the calculator disclosed by Single Parent

Central.

19. The Applicant has also made the arguments (b-d) that the prior art of Polk in view of Single

Parent Central fails to disclose a user profile including profile information, wherein a user

profile is received from both a user and a database, and allowing he user to change the

portion of the profile in the database.

20. However, Polk does disclose receiving payment information from the user (first portion of

profile) (C14 L21-30, C15 L8-36) and matching it up with the information in the database

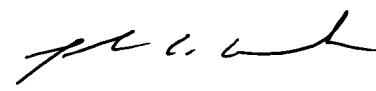(second portion of the profile) (C14 L48-57, C15 L36-60).

21. Polk also discloses wherein the user can authorize (change) withholding information by completing a salary withholding order, which is then converted to a FEDI file by the employer (C15 L7-59, C11 L21-39).

Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

24. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

jo
August 30, 2004

JOHN G. WEISS
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